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PTO/SB/64/PCT (12-04)

Approved for use through 03/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
(Optional)

26740-000/MXM

First Named Inventor: Albert GALAN I LLONGUERAS

International (PCT) Application No.: PCT/ES2003/000655

U.S. Application No.:
(if known)

Filed: December 23, 2003

Title: FLUID SPINNING SYSTEM

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity - fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

07/19/2005 LLANDGRA 00000102 10540429

2. Proper reply

01 FC:2453

750.00 OP

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
*****see below***** (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith Transmittal letter to the US Designated/Elected office concerning a submission under 35USC 371; Filing fee \$450.00 and unexecuted declaration

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/14/2005 GFKEY1 00000045 10541733

04 FC:2453

750.00 OP



26740-000/MXM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Albert GALAN I LLONGUERAS**

Examiner: To be assigned

Serial No.: **To be assigned - National Phase of PCT/ES2003/000655**

Group Art Unit: To be assigned

Filed: **Herewith**

International Filing date: **December 23, 2003**

For: **FLUID SPINNING SYSTEM**

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandra, VA 22313-1450

Attn: PCT LEGAL STAFF

**PETITION TO REVIVE INTERNATIONAL APPLICATION ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

SIR :

Applicant hereby petitions to revive the above application under 37 C.F.R. § 1.137(b). It is submitted that the abandonment of this application was unintentional and that the entire delay from the original 30 month filing date of December 23, 2003 was unintentional. A Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371 is being filed concurrently herewith to continue prosecution of this application after it has been revived.

Enclosed is a check in the amount of \$1,200.00 (Petition fee of \$750.00 and the National Phase filing fee of \$ 450.00). The Commissioner is authorized to charge any additional fees and credit any overpayment in fees to Deposit Account No. 03-3415.

Further, a request for reimbursement of filing fees is respectfully requested. A Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371 addressed via Express mail (No. EV324446541US) to the Patent and Trademark office received June 24, 2005 as the receipt date from the Post Office. The application connected to this Express mail number, which was accorded a filing date of June 24,

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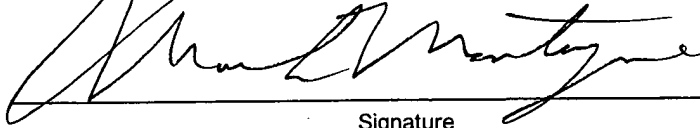
3. Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

July 7, 2005

Date

Mark Montague

36,612

Typed or Printed Name

Registration Number, if applicable

Cowan Liebowitz & Latman, P.C.

212-790-9200

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Enclosures: ☒ Response

☒ Fee Payment

☐ Terminal Disclaimer

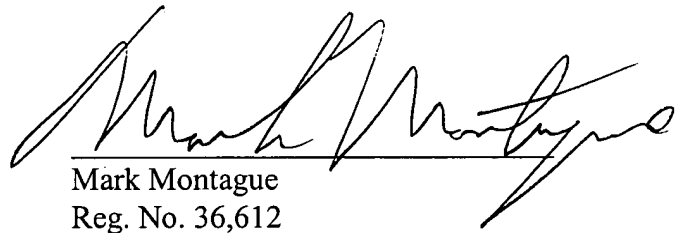
☒ Other (please identify):

Express mail certificate and return postcard.

2005, was actually mailed (i.e., delivered to the U.S. Post Office) on June 23, 2005, but due to a clerical error by a postal clerk, the envelope was not processed until the next day, June 24, 2005. Unfortunately, the clerk of the undersigned's office who mailed the envelope failed to receive a mailing receipt and also failed to make a log entry upon return to the undersigned's office. Hence, rather than petition to correct the date of mailing of the transmittal letter requesting national phase entry in the U.S. (due principally to a lack of evidence of such mailing on June 23, 2005), this petition to revive with fee is being provided. Accordingly, upon the grant of this petition, it is hereby requested that the application (connected to Express mail number EV324446541US -- accorded a filing date of June 24, 2005) be abandoned and that a credit of \$450 be made to deposit account No. 03-3415.

Revival of the above-referenced application pursuant to the provisions of 37 C.F.R. §1.137(b) is respectfully requested.

Respectfully submitted,



Mark Montague
Reg. No. 36,612

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